



REISSUE LITIGATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Reissue)
Patent Application of:)
Uber, III et al.) Group Art Unit: 3737
Appln. No.: 09/545582) Examiner: R. Smith
Filed: April 7, 2000)
Title: **PATIENT INFUSION SYSTEM**)
FOR USE WITH MRI)

* * * * *

September 30, 2002

NOTICE OF RELATED LITIGATIONS

Hon. Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Sir:

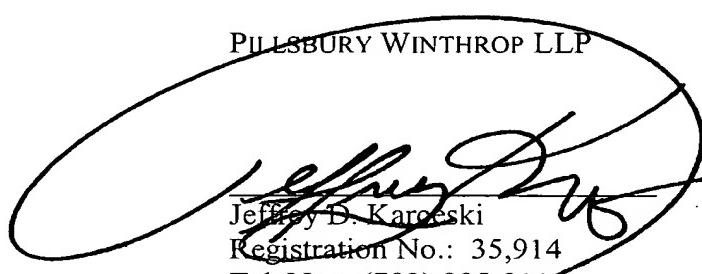
The Applicants respectfully bring to the Examiner's attention the following litigation involving related U.S. Reissue Patent No. 37,602. The litigation was initiated by Medrad, Inc., the assignee of Reissue Patent No. 37,602 and the assignee of the above-captioned continuation reissue patent application. A copy of the patent is appended hereto.

The litigation is captioned "Medrad, Inc. v. Tyco Healthcare Group LP, Mallinckrodt Inc., Liebel-Flarsheim Co., and Nemoto Kyorindo Co., Ltd." It has been assigned Civil Action No. 01-1997 and is pending before the United States District Court for the Western District of Pennsylvania. Reissue Patent No. 37,602 issued as a reissue of U.S. Reissue Patent No. 36,648 on March 26, 2002 (a copy of Reissue Patent No. 36,648 is also appended hereto). Reissue Patent No. 36,648 is the patent upon which this continuation reissue patent application is based.

If there are any fees required for this submission that are not otherwise accounted for,
please charge our Deposit Account No. 03-3975 and refer to Invoice No. 071419/0272813.

Respectfully submitted,

PILLSBURY WINTHROP LLP


Jeffrey D. Karoenski
Registration No.: 35,914
Tel. No.: (703) 905-2110

JDK/jck

Post Office Box 10500
McLean, Virginia 22102
Tel. No.: (703) 905-2000
Fax No.: (703) 905-2500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant(s): UBER III et al.

Appln. No.: 09/

Series Code ↑

545582

Serial No. ↑

SEP 30 2002



Group Art Unit 3737

Examiner: R. Smith

Atty. Dkt. P 0272813

M#

Client Ref

Appln. Title: PATIENT INFUSION SYSTEM FOR
USE WITH MRI

Filed: April 7, 2000

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER

Date: September 30, 2002

RECEIVED

OCT 03 2002

TECHNOLOGY CENTER 2230

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim		
A. <input checked="" type="checkbox"/> NOT made	For B & C	
B. <input type="checkbox"/> Withdrawn	See Required	
C. <input type="checkbox"/> made herewith	Separate Paper	
D. <input type="checkbox"/> made previously	(Pat-256)	

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	116	**minus	78	38	x \$18/\$9 =	+ \$684 103/203
3. Independent Claims	13	***minus	11	2	x \$84/\$42 =	+ \$168 102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)		add		+ \$280/\$140 =	+ \$0	104/204
5. Original due Date:	<input checked="" type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =				115/215
	(2 mos)	\$400/\$200 =		+ \$0		116/216
	(3 mos)	\$920/\$460 =				117/217
	(4 mos)	\$1,440/\$720=				118/218
	(5 mos)	\$1,960/\$980=				128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0			
8.			Extension Fee	+ \$0		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55		+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), or if Rule 97(d) Request	add	+ \$180		+ \$180		126
	add	+ \$180				126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$740/370		+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$740/370 ea		+ \$0		149/249
13. Request for Continued Examination (RCE)		+ \$740/370		+ \$0		1179/1279
14. Petition fee for			+ \$0			
15.			TOTAL FEE =	\$1032		
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".						
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.						
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.						
PLEASE CHARGE OUR DEP. ACCT						

Our Deposit Account No. 03-3975

(Our Order No. 071419 0272813

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Jeffrey D. Karcoski

Sig:

Reg. No. 35914

Fax: (703) 905-2500

Tel: (703) 905-2110

P.O. Box 10500
McLean, VA 22102
Tel: (703) 905-2000

Atty/Sec: JDK/jck

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments